



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

November 13, 1979

Mr. Ed Egan
1118 Pennsylvania
Denver, Colorado 80203

Dear Mr. Egan:

This is in further reference to my letter dated September 17, 1979, regarding your Freedom of Information-Privacy Acts (FOIPA) request concerning information on the "tapes" of Dr. Martin Luther King, Jr.

On January 31, 1977, in the cases entitled Bernard S. Lee v. Clarence M. Kelley, et al., (U.S.D.C., D.C.) Civil Action Number 76-1185 and Southern Christian Leadership Conference v. Clarence M. Kelley, et al., (U.S.D.C., D.C.) Civil Action Number 76-1186 United States District Judge John Lewis Smith, Jr., ordered that the FBI purge its files of:

"all known copies of the recorded tapes, and transcripts thereof, resulting from the FBI's microphone surveillance, between 1963 and 1968, of the plaintiffs' offices in Atlanta, Georgia, and New York, New York, the home of Martin Luther King, Jr., and the places of public accommodation occupied by Martin Luther King, Jr."

As a result of this purge, the above-mentioned documents were delivered to the custody of the National Archives and Records Service, to be maintained by the Archivist of the United States under seal for a period of fifty years. The Archivist of the United States shall take such actions as are necessary to the preservation of said tapes and documents but shall not disclose the

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tapes or documents or their contents, except pursuant to a specific order from a court of competent jurisdiction requiring disclosure.

Sincerely yours,

David G. Flanders /m

David G. Flanders, Chief
Freedom of Information-Privacy
Acts Branch
Records Management Division